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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/079,260  
Filed: 02/21/2002  
In re Application of: ABROSIMOV, Igor Anatolievich  
Art unit: 2287/50971  
Confirmation No. 6105  
Examiner: WARE, CICELY Q  
For: MEANS AND METHOD OF DATA COMMUNICATION AT RATES ABOVE THE CHANNEL BANDWIDTH  
Docket No.: 4202 US

RESPONSE TO OFFICE ACTION

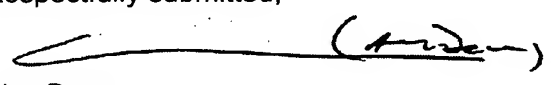
23 January 2006

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window,  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Dear Sir/Madam:

1. In response to Office Action of August 23, 2005 enclosed please find a listing of claims (all claims are currently amended) amended in accordance with the remarks of the Examiner and in view of US 6,311,239 to Matthews. The applicant believes the amended set of claims complies with the novelty requirement as set forth by 35 USC §102.
2. The applicant/assignee of the present application further believes that the set of claims as currently amended avoids the necessity of filing terminal disclaimer by the assignee of US 6,806,817, which is the same as the assignee of the current patent application, however, would be ready to submit such properly executed Terminal Disclaimer form PTO/SB/26, should this still be required.

Respectfully submitted,



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